

AMENDED IN ASSEMBLY APRIL 7, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1208

Introduced by Assembly Member Yee

February 22, 2005

~~An act to amend Section 1708 of the Civil Code, relating to civil law.~~ *An act to add Section 9250.20 to the Vehicle Code, relating to vehicles.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1208, as amended, Yee. ~~Civil Law~~ *Vehicles: registration: local charge.*

Existing law prohibits a local agency from imposing a fee for the privilege of using its streets, except as authorized in the Vehicle Code.

This bill would authorize the City and County of San Francisco Board of Supervisors by ordinance or resolution to impose a fee in an amount to be established by the board to be paid at the time of registration or renewal of registration of every vehicle registered to an address within the city and county, in addition to any other fees specified in the Vehicle Code and the Revenue and Taxation Code, except those vehicles expressly exempted from payment of registration fees. The fee would apply to an original registration occurring on or after the January 1 following the date of the adoption of the ordinance and to the renewal of registration with an expiration date on or after that January 1.

The bill would require the Department of Motor Vehicles to distribute the revenues derived from the fee to the city and county, after deducting all costs incurred pursuant to these provisions.

The bill would require that money allocated to the city and county under these provisions be expended only to fund programs for the

construction, improvement, and maintenance of local streets and highways in the city and county.

The bill would require the board of supervisors, through a direct contract with the department, to pay for the initial setup and programming costs identified by the department.

The bill would declare that, due to the unique circumstances pertaining to the City and County of San Francisco that the bill is intended to remedy, a general statute within the meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.

~~Existing law provides that every person is bound, without contract, to abstain from injuring the person or property of another, or infringing upon any of his or her rights.~~

~~This bill would make a technical, nonsubstantive change to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 1708 of the Civil Code is amended to~~
2 ~~read:~~

3 *SECTION 1. Section 9250.20 is added to the Vehicle Code, to*
4 *read:*

5 *9250.20. (a) For the purposes of this section, "county"*
6 *means the City and County of San Francisco.*

7 *(b) In addition to any other fees specified in this code and the*
8 *Revenue and Taxation Code, a fee in an amount to be determined*
9 *by the county board of supervisors shall be paid at the time of*
10 *registration or renewal of registration of every vehicle registered*
11 *to an address within the county, except those vehicles expressly*
12 *exempted from payment of registration fees, if the county board*
13 *of supervisors adopts an ordinance or resolution setting the*
14 *amount of and imposing the additional fee.*

15 *(c) The fee imposed pursuant to this section shall apply to an*
16 *original registration occurring on or after the January 1*
17 *following the date of the adoption of the ordinance and to the*
18 *renewal of registration with an expiration date on or after that*
19 *January 1.*

1 (d) After deducting all costs incurred pursuant to this section,
2 the department shall distribute the revenues derived from the fee
3 to the county.

4 (e) Money allocated to the county under this section shall be
5 expended only to fund programs for the construction,
6 improvement, and maintenance of local streets and highways in
7 the county.

8 (f) The county board of supervisors, through a direct contract
9 with the department, shall pay for the initial setup and
10 programming costs identified by the department.

11 SEC. 2. Due to the unique circumstances facing the City and
12 County of San Francisco relating to the construction,
13 improvement, and maintenance of its local streets and highways,
14 the Legislature hereby finds and declares that a general statute
15 cannot be made applicable within the meaning of Section 16 of
16 Article IV of the California Constitution. Therefore, the special
17 legislation contained within Section 1 of this act is necessarily
18 applicable only to the City and County of San Francisco.

19 ~~1708. Every person is bound, without contract, to abstain~~
20 ~~from injuring the person or property of another, or from~~
21 ~~infringing upon any of his or her rights.~~

22
23
24 CORRECTIONS: _____

25 Digest— Lines 19 through 21.
26 _____